

UPDATED INFORMATIVE DIGEST

These regulations were considered at the public hearing held on September 3, 2019 in Sacramento, California. No written or oral testimony was received during the 45-day comment period from July 19 to September 3, 2019.

CDSS did not renote these regulations because no changes were made to the regulations following the public hearing.

This regulations package was originally submitted to the Office of Administrative Law (OAL) on October 2019. During OAL's review, it was discovered that the Std. 399 was not properly filled out and that a new one was necessary and therefore, the file was withdrawn from OAL until a new Std. 399 was appropriately filled out and approved through the Department of Finance. During this time COVID-19 became an issue which prompted Governor Newsom to promulgate Executive Orders N-40-20 and N-66-20, both of which extended by 60 calendar days each, the one-year deadline for expiration of a Notice of Proposed Action.

Assembly Bill (AB) 79 (Chapter 11, Statutes of 2020) amended Welfare and Institutions Code (WIC) sections 11322.8, 11322.87, and 11323.2. However, these changes do not immediately affect the proposed regulations. The relevant changes made pursuant to AB 79 are not operative until May 1, 2022, or when the Statewide Automated Welfare System (SAWS) can implement the changes, whichever date is later. The department will adopt regulations implementing the changes made by AB 79 no later than 18 months following the completion of all necessary automation.

Existing law provides that a parent or caretaker relative shall not be eligible for CalWORKs aid when the parent or caretaker has received aid for a cumulative total of 48 months, and provides that any month in which specified conditions exist is not counted toward that 48-month time limit. AB 79 will expand the client's maximum time on aid from 48 months to 60 months, repeal the CalWORKs 24-month time clock, and apply only the minimum hourly participation requirements to a client's entire 60 months on aid. Until these changes are operative, the hourly participation requirements in WIC section 11322.8 and the extensions to the welfare-to-work (WTW) 24-month time clock in WIC section 11322.87, which are being implemented pursuant to AB 818 and AB 910, remain unaffected. Additionally, WIC section 11323.2 requires that necessary supportive services, including child care and diaper costs, be available to participants in WTW activities. AB 79 clarifies guidance regarding who is able to receive child care. However, there were no changes to the diaper supportive service that was implemented pursuant to AB 480.

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.